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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,736	09/17/2003	George Filley	N0171US	4664

37583 7590 10/23/2008

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EXAMINER	
MOTSINGER, SEAN T	
ART UNIT	PAPER NUMBER
2624	

MAIL DATE	DELIVERY MODE
10/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/665,736	FILLEY ET AL.	
	Examiner	Art Unit	
	SEAN MOTSINGER	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 29-75* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23, 29-75* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Applicants Arguments/Amendments

1. Applicants arguments/amendments filed on 7/18/2008 have been entered and made of record.

2. Applicants Arguments/Amendments with respect to 35 U.S.C 103 have been fully considered but are not persuasive. Applicant claims that Kamikawa US 7,135,994 does not disclose "providing users with route guidance for traveling to the respective locations shown in the selected digital photographs" however Kamikawa discloses providing rout guidance for a selected image (column 7 lines 60-67 and column 8 lines 1-10) the image being selected by the users current position. Applicant further suggests that "Kamikawa does not suggest that the user selects a photographic image for rout guidance." It is not clear to the examiner what applicant is arguing in this case because this language is not in the claim. Baraducci discloses user selecting an image (see rejection of claim 1). Kamikawa discloses providing a user with rout guidance for a selected image and destinations in the selected image (column 7 lines 60-67 and column 8 lines 1-10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7, 9, 12-23 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,950,198 issued to Berarducci et al. ("Berarducci") in view of U.S. Patent Number 6,914,626 issued to Squibbs ("Squibbs") and U.S. Patent Number 6,943,825 issued to Silvester ("Silvester") and Kamikawa US 7,135,994.

4. For claim 1, Berarducci discloses a method of storing photographs comprising providing a data repository on a network accessible to a plurality of users who have digital photographs, wherein the digital photographs are comprised of data files in a suitable format (column 1 lines 57-65); receiving digital photographs from the users over the network (column 1 lines 57-65); storing the digital photographs in the data repository (column 1 lines 57-65); when storing each digital photograph in the data repository, associating each digital photograph with data (column 1 lines 57-65); providing a search function available to the users over the network that enables users to search for digital photographs stored by other users (column 1 lines 57-65); allowing users to select digital photographs stored by other users (column 1 lines 57-65);

5. Berarducci does not disclose associating each digital photograph with data that indicate a street address and enabling users to search by street address for digital photographs.

6. Squibbs discloses associating each digital photograph with data that indicate a physical location and enabling users to search by physical location for digital photographs (abstract). Figure 17 of Squibbs discloses exactly this element as discussed in col. 13:

> Preferably, where automatic fetching is implemented, more than one photograph will be retrieved on the basis of location, the user then being presented with a choice of third-party photos to add to the user's own photo album. As a preliminary step to fetching one or more photographs, the user can be presented with a detailed map (**representing a geographic database of images**) 147 of the area around (**in proximity to**) the desired-but-not-taken photo location (**specified location**) 148--the user can then specify approximately what subject/view 149 they are interested in (the location data by itself not indicating, for example, the direction in which the user was looking when the location was logged or whether the user was interested in a near field object or a far view). The user can specify the view of interest by, for example, clicking a target point or defining a target area on the map display (**the defined target area (or search area) is also in proximity to the specified location**). The information derived from the user is passed with the request (**search function**) for retrieving (**identifying**) relevant photos (**digital photographs**).

7. Silvester discloses that the physical location that can be associated with each photograph is the street address (col. 3 lines 43-56).

8. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the remote image memory device of Berarducci with the location data of Squibbs because augmenting digital photographs with location data facilitates the making of collections of photographs as taught by Squibbs at column 1

lines 60-64. It further would have been obvious to one of ordinary skill in the art at the time of invention to enable the device of Beraducci to use the known method of associating street address information with photographs as disclosed by Silvester with the known physical location search function of Squibbs to achieve the predictable result of allowing users to search for photographs by street address.

9. Kamikawa discloses for some of the copies of selected digital photographs transmitted to users over the network, providing the users with route guidance for traveling to the respective locations shown in the digital photographs (figure 12).

10. It would have been obvious to one of ordinary skill in this art at the time of the invention to include the route guidance of Kamikawa with the digital photographs of Berarducci and Squibbs for the benefit of using actual buildings as landmarks as taught by Kamikawa in column 1.

11. For claim 2, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicates an orientation (column 1 lines 20-21).

12. For claim 3, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and

storing the additional data in the data repository, wherein the additional data restrict which other users may obtain a copy of the digital photograph (column 1 line 67).

13. For claim 4, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate an owner of the digital photograph (column 1 lines 57-65).

14. For claim 5, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was taken (fig. 4).

15. For claim 6, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was deposited in the data repository (fig. 4).

16. For claim 7, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data provide a description of the digital photograph (fig. 4).

17. For claim 9, Berarducci discloses for some of the selected digital photographs transmitted to users, charging the users a fee for the selected digital photographs (fig. 2B).

18. For claim 12, Squibbs discloses the physical location associated with the digital photograph indicates the location of an object in the digital photograph (fig. 4).

19. For claim 13, Squibbs discloses the data that indicate a physical location is obtained, for at least some of the digital photographs, from positioning equipment associated with the camera that took the photograph (fig. 1).

20. For claim 14, Squibbs discloses the data that indicate a physical location is obtained from the user from whom the associated digital photograph was received (fig. 4).

21. For claim 15, Squibbs discloses when receiving digital photographs from users, requesting each user to indicate the physical location to be associated with the digital photograph (fig. 4).

22. For claim 16, Kamikawa discloses making the data repository accessible to a map developer; and allowing the map developer to update maps using the digital photographs stored in the data repository (abstract).

23. For claim 17 Beraducci discloses transmitting copies of the selected digital photographs to the users who selected them over the network (column 1 lines 57-65).

24. For claim 18, Berarducci and Squibbs each disclose for some of the digital photographs received from users, allowing the users to associate a plurality of digital photographs as a related group (abstract).

25. For claim 19, Squibbs discloses the search function allows a user to specify a physical location by distance from a reference point (zoom in and out shown in fig. 7).

26. For claim 20, Squibbs discloses the search function allows a user to specify a physical location by a bounding area (map of fig. 7).

27. For claim 21, Berarducci discloses establishing groups of users, wherein each group comprises a subset of all users; and restricting exchange of digital

photographs stored in the data repository by members of a group to only members of the group (column 1).

28. For claim 22, Squibbs discloses the search function supports free text searches (using data shown in fig. 4).

29. For claim 23, Kamikawa does not expressly disclose the data repository automatically recognizes potential placenames when users enter text to be associated with digital photographs being stored. The Examiner takes Official notice that global positioning systems (GPS) such as the GPS shown by Kamikawa typically are able to automatically recognize potential placenames when a user enters text.

30. For claim 75, Silvester discloses converting a place stamp from a first format to a second format. Although the example that Silvester gives converts latitude and longitude to street addresses, col. 3 lines 43-57 suggests that a person of ordinary skill in the art at the time of invention who tried the reverse, that is, converting a street address into latitude and longitude, would expect the predictable result of geocoding the specified street address.

31. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci in view of Squibbs, Silvester and Kamikawa as applied to claim 1 above, and further in view of U.S. Patent Number 6,977,679 issued to Tretter et al. ("Tretter").

32. For claim 8, Berarducci and Squibbs disclose the elements of claim 1.

33. Tretter discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data include a focal length used for the digital photograph (abstract).

34. It would have been obvious to one of ordinary skill in the art at the time of invention to record the focal length with the digital photographs of Berarducci and Squibbs for the benefit of categorizing non-textual subject data such as digital images as taught by Tretter in the abstract.

35. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Silvester and Kamikawa as applied to claim 1 above, and further in view of U.S. Patent Number 7,100,190 issued to Johnson et al. ("Johnson").

36. For claim 10 Berarducci and Squibbs disclose the elements of claim 1.

37. Johnson discloses storing links to web cams in the data repository; when storing each link to a web cam in the data repository, associating each link to a web cam with data that indicate a physical location, wherein the physical location indicates where the web cam associated with the link is located; providing a search function available to the users over the network that enables users to search by physical location for web cam links stored by other users; allowing users to select links to web cams of other users; and transmitting the respective selected web cam links to the users who selected them over the network (abstract).

38. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the webcam network with the digital photograph network of Berarducci and Squibbs for the benefit of permitting users to take virtual trips as taught by Johnson in the abstract.

39. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Silvester as applied to claim 1 above, and further in view of U.S. Patent Number 6,965,828 issued to Pollard.

40. For claim 11Berarducci and Squibbs disclose the elements of claim 1.

41. Pollard discloses the physical location associated with the digital photograph indicates a vantage point of the digital photograph (column 8 line 61).

42. It would have been obvious to one of ordinary skill in the art at the time of the invention to indicate the vantage point of the location for the benefit of offering

information or providing services relevant to that location as taught by Pollard in column 1 lines 24-38.

43. Claims 29-35, 37, and 40-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,950,198 issued to Berarducci et al. ("Berarducci") in view of U.S. Patent Number 6,914,626 issued to Squibbs ("Squibbs") and U.S. Patent Number 6,943,825 issued to Silvester ("Silvester") and Kamikawa US 7,135,994.

44. For claim 29, Berarducci discloses a method of storing photographs comprising providing a data repository on a network accessible to a plurality of users who have digital photographs, wherein the digital photographs are comprised of data files in a suitable format (column 1 lines 57-65); receiving digital photographs from the users over the network (column 1 lines 57-65); storing the digital photographs in the data repository (column 1 lines 57-65); when storing each digital photograph in the data repository, associating each digital photograph with data (column 1 lines 57-65); providing a search function available to the users over the network that enables users to search for digital photographs stored by other users (column 1 lines 57-65); allowing users to select digital photographs stored by other users (column 1 lines 57-65);

45. Berarducci does not disclose associating each digital photograph with data that indicate a physical location and enabling users to search by physical location for digital photographs.

46. Squibbs discloses associating each digital photograph with data that indicate a physical location and enabling users to search by physical location for digital photographs (abstract).

47. Claim 29 also recites the data received from a user indicating the physical location associated with a digital photograph is transformed by an acceptance application associated with the data repository into an alternative format. An alternative format of the location data is the map shown in figure 6 of squibbs, which transforms the numerical location coordinates into a map based metaphor of the location data. The map in figure 6 transforms the geographic location coordinate numbers into a visual representation that is easily comprehended by a user.

48. Furthermore, Silvester discloses transforming latitude and longitude information of an image into another format such as a street address in col. 3 lines 43-56.

49. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the remote image memory device of Berarducci with the location data of Squibbs because augmenting digital photographs with location data facilitates the making of collections of photographs as taught by Squibbs at column 1 lines 60-64. It would have been obvious to one of ordinary skill in the art at the time of invention to enable the device of Beraducci to use the known method of associating street address information with photographs as disclosed by Silvester

with the known physical location search function of Squibbs to achieve the predictable result of allowing users to search for photographs by street address.

50. Kamikawa discloses for some of the copies of selected digital photographs transmitted to users over the network, providing the users with route guidance for traveling to the respective locations shown in the digital photographs (figure 12).

51. It would have been obvious to one of ordinary skill in this art at the time of the invention to include the route guidance of Kamikawa with the digital photographs of Berarducci and Squibbs for the benefit of using actual buildings as landmarks as taught by Kamikawa in column 1.

52. For claim 30, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicates an orientation (column 1 lines 20-21).

53. For claim 31, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data restrict which other users may obtain a copy of the digital photograph (column 1 line 67).

54. For claim 32, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate an owner of the digital photograph (column 1 lines 57-65).

55. For claim 33, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was taken (fig. 4).

56. For claim 34, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was deposited in the data repository (fig. 4).

57. For claim 35, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data provide a description of the digital photograph (fig. 4).

58. For claim 37, Berarducci discloses for some of the selected digital photographs transmitted to users, charging the users a fee for the selected digital photographs (fig. 2B).

59. For claim 40, Squibbs discloses the physical location associated with the digital photograph indicates the location of an object in the digital photograph (fig. 4).

60. For claim 41, Squibbs discloses the data that indicate a physical location is obtained, for at least some of the digital photographs, from positioning equipment associated with the camera that took the photograph (fig. 1).

61. For claim 42, Squibbs discloses the data that indicate a physical location is obtained from the user from whom the associated digital photograph was received (fig. 4).

62. For claim 43, Squibbs discloses when receiving digital photographs from users, requesting each user to indicate the physical location to be associated with the digital photograph (fig. 4).

63. For claim 44 Kamikawa discloses making the data repository accessible to a map developer; and allowing the map developer to update maps using the digital photographs stored in the data repository (abstract).

64. For claim 45 Beraducci discloses transmitting copies of the selected digital photographs to the users who selected them over the network (column 1 lines 57-65).

65. For claim 46, Berarducci and Squibbs each disclose for some of the digital photographs received from users, allowing the users to associate a plurality of digital photographs as a related group (abstract).

66. For claim 47, Squibbs discloses the search function allows a user to specify a physical location by distance from a reference point (zoom in and out shown in fig. 7).

67. For claim 48, Squibbs discloses the search function allows a user to specify a physical location by a bounding area (map of fig. 7).

68. For claim 49, Berarducci discloses establishing groups of users, wherein each group comprises a subset of all users; and restricting exchange of digital photographs stored in the data repository by members of a group to only members of the group (column 1).

69. For claim 50, Squibbs discloses the search function supports free text searches (using data shown in fig. 4).

70. For claim 51, Kamikawa does not expressly disclose the data repository automatically recognizes potential placenames when users enter text to be associated with digital photographs being stored. The Examiner takes Official notice that global positioning systems (GPS) such as the GPS shown by Kamikawa typically are able to automatically recognize potential placenames when a user enters text.

71. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci in view of Squibbs and Silvester and Kamikawa as applied to claim 29 above, and further in view of U.S. Patent Number 6,977,679 issued to Tretter et al. ("Tretter").

72. For claim 36, Berarducci, Squibbs and kamikawa disclose the elements of claim 29.

73. Tretter discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data include a focal length used for the digital photograph (abstract).

74. It would have been obvious to one of ordinary skill in the art at the time of invention to record the focal length with the digital photographs of Berarducci and Squibbs for the benefit of categorizing non-textual subject data such as digital images as taught by Tretter in the abstract.

75. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Silvester and Kamikawa as applied to claim 29 above, and further in view of U.S. Patent Number 7,100,190 issued to Johnson et al. ("Johnson").

76. For claim 38 Berarducci and Squibbs disclose the elements of claim 29.

77. Johnson discloses storing links to web cams in the data repository; when storing each link to a web cam in the data repository, associating each link to a web cam with data that indicate a physical location, wherein the physical location indicates where the web cam associated with the link is located; providing a search function available to the users over the network that enables users to search by physical location for web cam links stored by other users; allowing users to select links to web cams of other users; and transmitting the respective selected web cam links to the users who selected them over the network (abstract).

78. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the webcam network with the digital photograph network of

Berarducci and Squibbs for the benefit of permitting users to take virtual trips as taught by Johnson in the abstract.

79. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Silvester and Kamikawa as applied to claim 29 above, and further in view of U.S. Patent Number 6,965,828 issued to Pollard.

80. For claim 39 Berarducci and Squibbs disclose the elements of claim 29.

81. Pollard discloses the physical location associated with the digital photograph indicates a vantage point of the digital photograph (column 8 line 61).

82. It would have been obvious to one of ordinary skill in the art at the time of the invention to indicate the vantage point of the location for the benefit of offering information or providing services relevant to that location as taught by Pollard in column 1 lines 24-38.

83. Claims 52-58, 60, 63-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,950,198 issued to Berarducci et al. ("Berarducci") in view of U.S. Patent Number 6,914,626 issued to Squibbs ("Squibbs") in view of Kamikawa US 7,135,994 and further in view of U.S. Patent Publication Number 2002/0143762 by Boyd et al. ("Boyd").

84. For claim 52, Berarducci discloses a method of storing photographs comprising providing a data repository on a network accessible to a plurality of users who have digital photographs, wherein the digital photographs are comprised of data files in a suitable format (column 1 lines 57-65); receiving digital photographs from the users over the network (column 1 lines 57-65); storing the digital photographs in the data repository (column 1 lines 57-65); when storing each digital photograph in the data repository, associating each digital photograph with data (column 1 lines 57-65); providing a search function available to the users over the network that enables users to search for digital photographs stored by other users (column 1 lines 57-65); allowing users to select digital photographs stored by other users (column 1 lines 57-65);

85. Berarducci does not disclose associating each digital photograph with data that indicate a physical location and enabling users to search by physical location for digital photographs.

86. Squibbs discloses associating each digital photograph with data that indicate a physical location and enabling users to search by physical location for digital photographs (abstract). New claim 52 also recites geocoding the locations to be associated with the digital photographs. Although Squibbs does not use the phrase "geocoding," presumably this is what Squibbs does by obtaining location data from GPS satellites as shown in the drawings and discussed in the specification such as column 3 for example:

> FIG. 3 depicts a photo system in which a digital camera 3 provided with location determining means (such as a GPS receiver) is used to generate digital photos 4, each photo (also referred to as `image data`) 4 being stamped with location data indicating where the photo was taken.

87. Although the claim does not recite relating geographic coordinates to named addresses or other map features, applicant argues that this is a distinction between the claim and the prior art. In an effort to advance prosecution, Boyd is cited to disclose this feature (the digital camera may be able to ascertain from GPS coordinates that a picture was taken in Seattle. The digital camera may associate the specific location (street, city, state, and/or the like) with the photograph as meta-data, see paragraph 10). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the remote image memory device of Berarducci with the location data of Squibbs because augmenting digital photographs with location data facilitates the making of collections of photographs as taught by Squibbs at column 1 lines 60-64. It would have been obvious to one of ordinary skill in the art to enable the device of Beraducci to use the known method of associating street names with photographs as disclosed by Boyd with the known physical location search function of Squibbs to achieve the predictable result of allowing users to search for photographs by street names.

88. Kamikawa discloses for some of the copies of selected digital photographs transmitted to users over the network, providing the users with route guidance for traveling to the respective locations shown in the digital photographs (figure 12).

89. It would have been obvious to one of ordinary skill in this art at the time of the invention to include the route guidance of Kamikawa with the digital photographs of Berarducci and Squibbs for the benefit of using actual buildings as landmarks as taught by Kamikawa in column 1.

90. For claim 53, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicates an orientation (column 1 lines 20-21).

91. For claim 54, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data restrict which other users may obtain a copy of the digital photograph (column 1 line 67).

92. For claim 55, Berarducci discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate an owner of the digital photograph (column 1 lines 57-65).

93. For claim 56, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was taken (fig. 4).

94. For claim 57, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data indicate a date on which the digital photograph was deposited in the data repository (fig. 4).

95. For claim 58, Squibbs discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data provide a description of the digital photograph (fig. 4).

96. For claim 60, Berarducci discloses for some of the selected digital photographs transmitted to users, charging the users a fee for the selected digital photographs (fig. 2B).

97. For claim 63, Squibbs discloses the physical location associated with the digital photograph indicates the location of an object in the digital photograph (fig. 4).

98. For claim 64, Squibbs discloses the data that indicate a physical location is obtained, for at least some of the digital photographs, from positioning equipment associated with the camera that took the photograph (fig. 1).

99. For claim 65, Squibbs discloses the data that indicate a physical location is obtained from the user from whom the associated digital photograph was received (fig. 4).

100. For claim 66, Squibbs discloses when receiving digital photographs from users, requesting each user to indicate the physical location to be associated with the digital photograph (fig. 4).

101. For claim 67 Kamikawa discloses making the data repository accessible to a map developer; and allowing the map developer to update maps using the digital photographs stored in the data repository (abstract).

102. Re claim 68 Beraducci discloses transmitting copies of the selected digital photographs to the users who selected them over the network (column 1 lines 57-65).

103. For claim 69, Berarducci and Squibbs each disclose for some of the digital photographs received from users, allowing the users to associate a plurality of digital photographs as a related group (abstract).

104. For claim 70, Squibbs discloses the search function allows a user to specify a physical location by distance from a reference point (zoom in and out shown in fig. 7).

105. For claim 71, Squibbs discloses the search function allows a user to specify a physical location by a bounding area (map of fig. 7).

106. For claim 72, Berarducci discloses establishing groups of users, wherein each group comprises a subset of all users; and restricting exchange of digital photographs stored in the data repository by members of a group to only members of the group (column 1).

107. For claim 73, Squibbs discloses the search function supports free text searches (using data shown in fig. 4).

108. For claim 74, Kamikawa does not expressly disclose the data repository automatically recognizes potential placenames when users enter text to be associated with digital photographs being stored. The Examiner takes Official notice that global positioning systems (GPS) such as the GPS shown by Kamikawa typically are able to automatically recognize potential placenames when a user enters text.

109. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci in view of Squibbs, Kamikawa, and Boyd as applied to claim 52 above, and further in view of U.S. Patent Number 6,977,679 issued to Tretter et al. ("Tretter").

110. For claim 59, Berarducci and Squibbs disclose the elements of claim 52.

111. Tretter discloses for some of the digital photographs stored in the data repository, associating additional data with the digital photograph and storing the additional data in the data repository, wherein the additional data include a focal length used for the digital photograph (abstract).

112. It would have been obvious to one of ordinary skill in the art at the time of invention to record the focal length with the digital photographs of Berarducci and Squibbs for the benefit of categorizing non-textual subject data such as digital images as taught by Tretter in the abstract.

113. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Kamikawa and Boyd as applied to claim 52 above, and further in view of U.S. Patent Number 7,100,190 issued to Johnson et al. ("Johnson").

114. For claim 61 Berarducci and Squibbs disclose the elements of claim 52.

115. Johnson discloses storing links to web cams in the data repository; when storing each link to a web cam in the data repository, associating each link to a web cam with data that indicate a physical location, wherein the physical location indicates where the web cam associated with the link is located; providing a search function available to the users over the network that enables users to search by physical location for web cam links stored by other users; allowing users to select links to web cams of other users; and transmitting the respective selected web cam links to the users who selected them over the network (abstract).

116. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the webcam network with the digital photograph network of Berarducci and Squibbs for the benefit of permitting users to take virtual trips as taught by Johnson in the abstract.

117. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Squibbs and Kamikawa and Boyd as applied to claim 52 above, and further in view of U.S. Patent Number 6,965,828 issued to Pollard.

118. For claim 62 Berarducci and Squibbs disclose the elements of claim 52.Pollard discloses the physical location associated with the digital photograph indicates a vantage point of the digital photograph (column 8 line 61).

119. It would have been obvious to one of ordinary skill in the art at the time of the invention to indicate the vantage point of the location for the benefit of offering

information or providing services relevant to that location as taught by Pollard in column 1 lines 24-38.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEAN MOTSINGER whose telephone number is (571)270-1237. The examiner can normally be reached on 9-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571)272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jingge Wu/
Supervisory Patent Examiner, Art Unit 2624

Motsinger
10/20/2008